

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

ARNESS WHITE, #630725 §

VS. § CIVIL ACTION NO. 5:03cv203

DIRECTOR, TDCJ-CID §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. This Court dismissed the petition on October 31, 2003. On March 31, 2006, Petitioner filed a motion for leave to file an out of time motion for certificate of appealability. On December 14, 2006, the Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of the motion. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS that Petitioner's motion for leave to file an out of time motion for certificate of appealability (dkt#14) is **DENIED**; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 10th day of January, 2007.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE